IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Crl.MC.No. 231 of 2007()

ST.7834/1998 of JUDL. MAGISTRATE OF FIRST CLASS COURT, IRINJALAKUDA

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PETITIONER: ACCUSED.

M.PRABHAKARAN, AMBATT HOUSE,
MANKIDI, PUTHENCHIRA.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS: COMPLAINANT AND STATE.

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1. GEROGE ALAPPATT THOTTIAN,
THOTTIAN HOUSE, VELUPPADOM, P.A.HOLDER OF
JACOB PAUL UKKEN, UKKEN HOUSE, EDAKKULAM.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SMT. LATHA.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 231 OF 2007

Dated this the 31st day of January, 2007

ORDER

The petitioner has been found guilty, convicted and sentenced in a prosecution under Sec.138 of the N.I. Act. He was acquitted by the trial court. But he was convicted and sentenced in an appeal against acquittal by this Court as per the judgment dated 3/3/06. He was sentenced to undergo imprisonment till rising of court and to pay an amount of Rs.1,34,000/- as compensation. Default sentence was also prescribed. Long later, on 4/10/06 the petitioner came to this Court and the learned Judge who passed the judgment in appeal granted time till 4/2/2007 to pay the amount of Rs.1,34,000/-. There was a very specific direction that there shall be no further enlargement of time. The petitioner has now come to this Court praying for further time of six months to pay the amount.

2. I am not at all persuaded to agree that there is any justification in the prayer for further extension of time. Proceedings were initiated as early as in 1998. The direction

is to pay only the actual cheque amount. My learned Brother had specifically directed that there shall be no further extension of time. In these circumstances, the prayer is found to be without any merit.

3. This Crl.M.C. is, in these circumstances, dismissed.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge